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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,055	10/04/2004	Scott Allan Kendall	PU020098	6272

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EXAMINER

CHOWDHURY, NIGAR

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/510,055	Applicant(s) KENDALL, SCOTT ALLAN	
	Examiner Nigar Chowdhury	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed on 07/24/2006 have been fully considered but they are not persuasive.

In re pages 2-3, applicant argues that Vallone disclose "a remote control 1401 (shown in Fig. 14) which hasinstant reply signal if the user presses instant replay button 1415". Vallone fails to disclose "replay-reverse multipurpose remote control signal". Applicant's also argues that Vallone disclose "Remote control 1401 of Vallone has a distinct jumpfast forward signal if the user presses fast forward button 1408". And Vallone also fails to disclose "skip-forward multipurpose remote control signal" as recited in claim 1.

In response, the examiner respectfully disagrees. Vollone et al discloses from Col. 7 lines 10-16, that " The parser 705 detects the beginningproperly play back and perform special effects on the stream, e.g. fast forward, reverse, play, pause, fast/slow play, indexing, and fast/slow reverse play". Vallone et al also discloses from Col. 10 lines 4-19, that "The remote control may also have fast forward key. When the fast forward key is pressed, the control object 917 sends anThe same method works for fast reverse in that the transform 902 moves the current pointer 920 backwards". Vallone disclose a remote control which has reverse key and forward key.

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“replay-reverse” and “skip-forward” is considered to reverse and forward key respectively.

In re page 4, applicant argues that there is no reference in Vallone to perform different functions depending on the duration of a signal from the remote control.

In response, the examiner respectfully disagrees. Vallone et al discloses from Col.20 lines 32-47, that “Referring again to Figs. 14 and 15, the inventionThe user initially places the operation mode intobuttons places the system into the 1x, 2x, or 3x fast forward or reverse modes, respectively.....”. Vallone discloses different fast forward and rewind modes. For example, when user select 1x or 2x fast forward or reverse mode, different mode has different duration of signal from remote to make different operations.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,847,778 by Vallone et al. as set forth in the last office action.

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2. In claim 1, a video playback apparatus (Col. 7 line 10-16) having means to invoke either replay or reverse modes upon receipt of a replay-reverse multipurpose remote control signal, depending on the duration of the replay-reverse multipurpose remote control signal, and means to invoke either skip or forward functions upon receipt of a skip-forward multipurpose remote control signal, depending on the duration of the skip-forward multipurpose remote control signal (Fig. 9, Col. 10 line 4-19).

3. In claim 2, the video playback apparatus of claim 1 wherein replay is invoked upon receipt of the replay-reverse multipurpose remote control signal for a duration of time below a first replay-reverse predetermined threshold, and a first reverse speed is invoked upon receipt of the replay-reverse remote control signal for a duration of time above the first replay-reverse predetermined threshold, and wherein the skip function is invoked upon receipt of the skip-forward control signal for a duration of time below a first skip-forward predetermined threshold and a first forward function is invoked upon receipt of the skip-forward control signal for a duration of time above the first skip-forward predetermined threshold (Fig. 9, Col. 10 line 4-19, Col. 18 line 65-68, Col.20 line 32-47. According to the reference, duration can change by user. User will select the speed for reply or forward).

4. According to claim 3, the video playback apparatus of claim 2 wherein the first skip-forward predetermined threshold is one second and the first replay-reverse

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predetermined threshold is one second (User can select the duration what they want. Col. 18 line 65-67).

5. Regarding claim 4, the video playback apparatus of claim 3 having at least two reverse speeds, wherein upon receipt of the replay-reverse control signal for a duration of time greater than the first replay-reverse predetermined threshold, the first reverse speed is invoked, and upon receipt of the replay-reverse control signal for greater than a second replay-reverse predetermined threshold, a second, higher reverse speed is invoked (User can select the speed e.g. x, 2x, 3x etc. Here 2x is greater than the x and 3x is greater than 2x, x. Col. 18 line 65-67, Col. 10 line 17-19).

6. Forward claim 5 is rejected for the same reason as discussed in the corresponding reverse claim 4 above (Col. 10 line 17-19).

7. In claim 6, the video playback apparatus of claim 5 wherein upon receipt of each additional skip-forward key press control signal, the next fastest forward speed is invoked, up to the highest available forward speed (Col. 20 line 40-47).

8. In claim 7, the video playback apparatus of claim 5 wherein the second predetermined threshold is at least one second greater than the first predetermined threshold (User can select the duration. Col. 18 line 65-67).

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9. Reverse claim 8 is rejected for the same reason as discussed in the corresponding forward claim 6 above.

10. Claim 9 is rejected for the same reason as discussed in corresponding claim 7 above.

11. According to claim 10, the video playback apparatus of claim 1 having 2x, 4x, 8x, and 16x forward speeds and -2x, -4x, -8x, and -16x reverse speeds (Col. 18 line 60-67).

12. In claim 11, the video playback apparatus of claim 1 wherein the duration is determined is calculated based on number of repetitions of code signal received, each repetition separated by a predetermined gap (User can change the duration by pressing the key button between 1-10 seconds).

13. In claim 12, the video playback apparatus of claim 11 wherein the predetermined gap is between 1 and 10 milliseconds (User can change the duration by pressing the key button between 1-10 seconds).

14. In claim 13, the video playback apparatus of claim 11 wherein an end of control signal is calculated upon a gap between repetitions of receipt of a code signal of greater

than 20 milliseconds (User can change the duration by pressing the key button between 1-10 seconds).

15. According to claim 14, the video playback apparatus of claim 1 having one or more functionalities in addition to video playback, the functionalities selected from DSL, integrated receiver-decoder, WinTV, and personal computer (Col. 3 line 55, 56).

16. In claim 15, a remote control device for using with a video playback apparatus of claim 1 having a replay-reverse multipurpose key and a skip-forward multipurpose key (Col. 10 line 4-19).

17. In claim 16, the remote control device of claim 15 having means to send a control signal for the duration of time a multipurpose key is pressed (Col. 10 line 4-19).

18. Claim 17 is rejected for the same reason as discussed in corresponding claim 11 above.

19. Claim 18 is rejected for the same reason as discussed in corresponding claim 12 above.

20. Claim 19 is rejected for the same reason as discussed in corresponding claim 12 above.

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21. In claim 20, a system comprising a video playback apparatus according to claim 1 and a remote control device having a replay-reverse multipurpose key and a skip-forward multipurpose key (Col. 10 line 4-19).

22. In claim 21, a method of controlling the operation of a digital video playback apparatus, the method comprising the steps of (User can select any duration they want for skip/forward or replay/reverse. Col. 18 line 55-67):

- Invoking a skip function upon receipt of a remote control skip-forward signal for less than a first predetermined duration, invoking a first forward speed upon receipt of the skip-forward remote control signal for greater than the first predetermined duration, invoking a second, faster forward speed upon receipt of either the skip-forward remote control signal for greater than a second predetermined duration or upon receipt of a second skip-forward remote control signal
- Invoking a replay function upon receipt of a replay-reverse remote control signal for less than a first predetermined duration, invoking a first reverse speed upon receipt of the replay-reverse remote control signal for greater than the first predetermined duration, invoking a second, faster reverse speed upon receipt of either the replay-reverse remote control signal for greater than a second predetermined duration or upon receipt of a second replay-remote control signal.

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23. In claim 22, a electronic playback apparatus (Col. 7 line 10-16) capable of receiving an external speed control signal for controlling playback speed, the electronic playback apparatus comprising:

- A receiver for receiving the external speed control signal (Col. 13 line 39-53)
- A microprocessor for varying the playback speed according to duration of the external speed control signal (Col. 4 line 33-40, Col. 6 line 54-63).

24. Regarding claim 23, the electronic playback apparatus of claim 22, wherein the playback speed is forward speed (Col. 7 line 7-16).

25. In claim 24, the electronic playback apparatus of claim 22, wherein the playback speed is reverse speed (Col. 7 line 7-16).

26. According to claim 25, the electronic playback apparatus of claim 22, wherein the external speed control signal is a signal generated by holding down a key for a skip-forward function (Fig. 14, Col. 20 line 32-47).

27. In claim 26, the electronic playback apparatus of claim 22, wherein the external speed control signal is a signal generated by holding down a key for a play function (Fig. 14, Col. 20 line 32-47).

28. In claim 27, the electronic playback apparatus of claim 22, wherein the external speed control signal is a signal generated by holding down a key for a replay-reverse function (Fig. 14, Col. 20 line 32-47).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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10/10/2006


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